



M. REID RUSSELL

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June 22, 2001

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Enclosed herewith is a continuation application from Application Serial No. 09/323,215, filed June 1, 1999 for a U.S. Patent entitled "IMPROVED APPARATUS AND METHOD FOR THE REMEDIATION OF PARTICULATE MATERIAL AND TOXIC POLLUTANTS IN TRANSIT FLUE GAS." The applicant is Richard A. Steinke.

The original application was filed on June 1, 1999, Serial No. 09/923,215, naming the present inventor Richard A. Steinke and Robert W. Hood as joint inventors. With, however, the revision of the present CIP application for clarity and to limit the claims to overcome the cited art, Mr. Hood's contribution to the invention was no longer identified with any one of the Claims of the CIP application. Accordingly, Mr. Richard A. Steinke is now properly listed as the sole inventor.

A Final Patent Office Action dated February 23, 2001, was issued that this CIP application filing is responsive to. Accordingly, here included with the CIP application is a Petition to Extend the Time Period for Response for one (1) month, as well as the required extension fee in the amount of \$55.00 for a Small Entity which the present CIP application still qualifies as.

Applicant here submits new formal drawings for inclusion in this case. Applicant here requests that the patents set out on Forms PTO-1449 Submissions by applicant and those discovered and cited by the Examiner in the prosecution of the parent application, Serial No. 09/323,215 be transferred to the present CIP application.

Applicant here submits new Declaration for Utility or Design Patent Application and Power of Attorney signed by the applicant inventor.

Applicant stipulates that the parent application was subject to an Election/Restriction requirement where applicants elected to prosecute Claims 1-12 drawn to an apparatus, cancelling Claims 13-22 drawn to a method subject to filing these Claims 13-22 in a new Divisional application. Accordingly, applicant here Elects to prosecute Claims 1-12 as here included in this CIP application and cancels Claims 13-22 subject to a filing of a Divisional application on Claims 13-22 with or prior to payment of the Issue Fee on the present CIP application or before Abandonment thereof.

The application includes items as follows:

1. Petition.
2. Specification, Claims and Abstract (21 pages)
(Claims: 2 independent, 22 dependent).
3. Three (3) sheets of patent drawings.
4. Declaration for Utility or Design Patent Application signed by the sole inventor.
5. Power of Attorney signed by the sole inventor or the present CIP Application.
6. A Petition to Extend the Time Period for Response to the Final Office Action from May 23, 2001 to June 23, 2001 and fee is the amount of \$55.00.
7. Check number 1081 is here included for \$410.00 to cover the basic patent application filing fee for a small entity of \$355.00 for a Small Entity and the Petition Fee of \$55.00 for a one-month extension.

Respectfully,



M. Reid Russell
Attorney for Applicant

MRR/rr
Enclosures
Docket No. 7455-CIP.



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Prior Application Number	09/323,215
Filing Date	June 1, 1999
First Named Inventor	Richard A. Steinke
Group Art Unit	1764
Examiner Name	Ridley, B.

Total Number of Pages in This Submission

35

Attorney Docket Number 7455 CIP

ENCLOSURES (check all that apply)

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input checked="" type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input checked="" type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | New CIP Patent Application. |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name M. Reid Russell

Signature

Date

June 22, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date

06/22/10

Typed or printed name

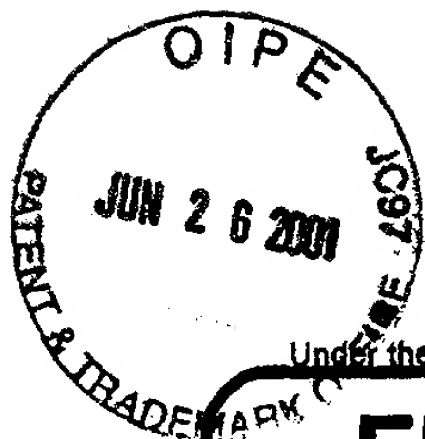
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June 22, 2001

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 410.00

Complete if Known

Application Number	09/323,215
Filing Date	June 1, 1999
First Named Inventor	Richard A. Steinke
Examiner Name	Ridley, Bassia
Group Art Unit	1764
Attorney Docket No.	7455CIP

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number
- Deposit Account Name
- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	355.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	
SUBTOTAL (1)			(\$ 355.00)

2. EXTRA CLAIM FEES

Total Claims -20** = X =

Independent Claims - 3** = X =

Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	55.00
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

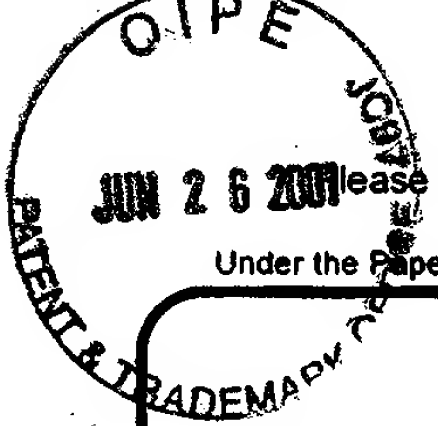
SUBTOTAL (3) (\$ 55.00

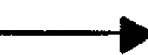

SUBMITTED BY

Name (Print/Type)	M. Reid Russell	Registration No. (Attorney/Agent)	26,226	Telephone	(435) 674-5739
Signature		Date	June 22, 2001		

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CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

Application Number	09/323,215
Filing Date	June 1, 1999
First Named Inventor	Richard A. Steinke
Group Art Unit	1764
Examiner Name	Ridley, B.
Attorney Docket Number	7455

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M. Reid Russell

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Country

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Applicant/Inventor.

☐

Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒

Attorney or Agent of record.

☐

Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Typed or Printed
Name

M. Reid Russell--Registration No: 26,226

Signature

Date

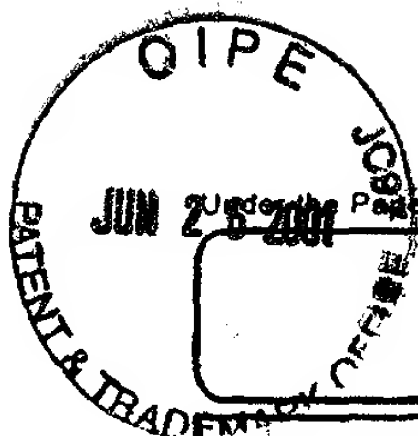
June 21, 2001

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Address					
City	St. George	State	Utah	Zip	84790
Country	United States				
Telephone	(435) 674-5739	Fax	(435) 635-3016		

in the following listed application(s) for which the Issue Fee has been paid or patent(s).

PATENT NUMBER (if known)	APPLICATION NUMBER
	Parent Application 09/323,215

(check one)

☐ Applicant/Inventor


Signature

☒ Attorney or Agent of record 26,226
(Reg. No.)

M. Reid Russell
Typed or printed name

☐ Assignee of record of the entire interest. See
37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)

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Customer's telephone number

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Date

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